

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

JOSE HUGO GARCIA,, )  
                        )  
Plaintiff,           )  
                        )  
v.                    ) 08CV3955  
                        ) JUDGE GUZMAN  
FERRARA PAN CANDY CO., INC., ) MAGISTRATE JUDGE SCHENKIER  
                        )  
Defendant.           )

**DEFENDANT'S UNOPPOSED MOTION FOR EXTENSION  
OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant, Ferrara Pan Candy Co., Inc., by and through its attorneys, herein requests an extension of time, up until August 26, 2008, to Answer or Otherwise Plead to Plaintiff's Complaint. In support thereof, Defendant states as follows:

1.       The claim in this case is one pursuant to the Family and Medical Leave Act of 1993 ("FMLA"). The allegations in the Complaint focus on factual circumstances that allegedly occurred in August 2006, nearly two years ago.
2.       Undersigned counsel was just retained to represent the interests of the Defendant.
3.       Given that the allegations involve matters that took place nearly two years ago, Defendant will need additional time to investigate the allegations.
4.       On Friday, August 1, 2008, undersigned counsel spoke to Plaintiff's attorney, Alejandro Caffarelli, inquiring whether Mr. Caffarelli had any objection to Plaintiff's Motion for Extension.
5.       Mr. Caffarelli stated that he has no objection to Defendant's Motion.

WHEREFORE, Defendant requests that it be allowed an additional 20 days, up until August 26, 2008 to Answer or Otherwise Plead to Plaintiff's Complaint.

Dated: August 4, 2008

FERRARA PAN CANDY CO., INC.

By: /s/James J. Convery

One of Its Attorneys

James J. Convery  
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**CERTIFICATE OF SERVICE**

I, James J. Convery, an attorney, hereby certify that on August 4, 2008, I caused the foregoing **Defendant's Unopposed Motion for Extension of Time to Answer or Otherwise Plead**, in the above-captioned matter to be filed with the Clerk of the District Court and served on the party of record listed below, by operation of the Court's CM/ECF electronic filing system, addressed to:

Alejandro Caffarelli  
Jessica J. Fayerman  
Caffarelli & Siegel Ltd.  
Two Prudencial Plaza  
180 N. Stetson, Suite 3150  
Chicago, Illinois 60601  
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/s/James J. Convery

James J. Convery